

REMARKS

Applicant has amended claims 13, 14, 19, 21 and 23 and cancelled claim 26.

In the October 1, 2004 Office Action the Examiner issued a Restriction Requirement with regard to the above-identified patent application. The Examiner indicated that two patentably distinct species of the claimed invention were present.

Species I - Figure 1;
Species II - Figure 4

Applicant submits that, Claims 1-13 and 23-25 and 27-31 read on the Figure 1 of Species I and that claims 14-22 read on Figure 4 of Species II.

Applicant hereby traverses the election requirement and provisionally elects Group I. However, Applicant reserves the right to pursue Claims 14-22 in a subsequent divisional/continuation application. Applicant submits that Claims 1-25 and 27-31 should be examined. In this regard, applicant notes that Independent Claim 27 is a generic method claim as each independent claim regulates a gaseous fuel supply to a diesel engine based on a load level of the engine and an oxygen content of an exhaust stream of the engine. Applicant further submits that the method of Claim 27 cannot be practiced by another materially different apparatus or by hand and that the apparatuses of Claims 1, 14 and 23 cannot be utilized to practice another materially different process.

Based on the foregoing, Applicant believes that all pending claims are in condition for allowance and such disposition is respectfully requested. In the event that a telephone call would further prosecution and/or expedite allowance, the Examiner is invited to contact the undersigned.

Respectfully submitted,

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